

**This Page is Inserted by IFW Indexing and Scanning  
Operations and is not part of the Official Record**

**BEST AVAILABLE IMAGES**

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

- ☐ **BLACK BORDERS**
- ☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**
- ☐ **FADED TEXT OR DRAWING**
- ☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**
- ☐ **SKEWED/SLANTED IMAGES**
- ☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**
- ☐ **GRAY SCALE DOCUMENTS**
- ☐ **LINES OR MARKS ON ORIGINAL DOCUMENT**
- ☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**
- ☐ **OTHER:** \_\_\_\_\_

**IMAGES ARE BEST AVAILABLE COPY.**

**As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.**



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/592,598	06/12/2000	Richard Humpleman	SAM1.0065	7055

7590 08/24/2004

KENNETH L. SHERMAN, ESQ.  
MYERS DAWES ANDRAS & SHERMAN, LLP  
19900 MacArthur BLVD.,  
11TH Floor  
IRVINE,, CA 92612

EXAMINER

NGUYEN, NHON D

ART UNIT PAPER NUMBER

2179

DATE MAILED: 08/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/592,598

**Applicant(s)**

HUMPLEMAN ET AL.

**Examiner**

Nhon (Gary) D Nguyen

**Art Unit**

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 2179

### DETAILED ACTION

1. This communication is responsive to Amendment, filed 04/30/2004.
2. Claims 1-39 are pending in this application. Claims 1, 14, and 27 are independent claims. This action is made final.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-2, 6-15, 19-28 and 32-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Takahashi et al. ("Takahashi", US 5,887,193).

As per independent claim 1, Takahashi teaches a method for providing a user interface for controlling devices that are currently connected to a network, the method comprising the steps of, for one or more of said devices:

obtaining device information from devices currently connected to the network  
(col. 17, line 67 – col. 18, line 4);

generating a user interface description in said one or more devices based at least on the obtained information, the user interface description in each device including at

Art Unit: 2179

least one reference associated with the device information in each of said devices currently connected to the network (col. 17, line 57 – col. 18, line 7); and

displaying one or more user interfaces each based on one of said one or more user interface descriptions, on one or more devices connected to the network capable of displaying a user interface, for user control of said devices that are currently connected to the network (col. 18, line 8 – col. 20, line 8).

As per claim 2, which is dependent on claim 1, Takahashi teaches the step of displaying each user interface further includes the steps of:

using each reference in the corresponding user interface description to access the associated information in each device (col. 18, line 8 – col. 20, line 8); generating the user interface including device data corresponding to each device using the accessed information in each device; and displaying the user interface on said one or more devices capable of displaying a user interface (col. 17, line 57 – col. 18, line 7).

As per claim 6, which is dependent on claim 1, Takahashi teaches further comprising the steps of:

connecting at least one client device to the network capable of displaying a user interface; and displaying a user interface on the client device using the references in a user interface description, for controlling devices that are currently connected to the network (col. 18, line 8 – col. 20, line 8; in this example, Multimedia Controller is the client device).

Art Unit: 2179

As per claim 7, which is dependent on claim 1, Takahashi teaches the device information in each device further includes a user control interface description for user interaction with the device (col. 17, line 62 – col. 18, line 7); and

step of displaying one or more user interfaces further includes the steps of upon detecting user selection of a device from one of said user interfaces, accessing and then displaying the control interface description in the corresponding device for user command and control of the device (col. 17, line 57 – col. 20, line 8).

As per claim 8, which is dependent on claim 1, Takahashi teaches the step of generating a user interface description further includes the steps of generating each user interface description such that the reference in that user interface description provides access to at least the information in each corresponding device (col. 18, line 8 – col. 20, line 8).

As per claim 9, which is dependent on claim 1, wherein the step of generating a user interface description further includes the steps of generating each user interface description such that the user interface description further includes device data corresponding to each device based on the information obtained from each device (col. 17, line 57 – col. 18, line 7).

As per claim 10, which is dependent on claim 1, Takahashi teaches the device information in each device includes device identification information (col. 34, lines 62-67).

Art Unit: 2179

As per claim 11, which is dependent on claim 1, Takahashi teaches the device information in each device includes a user control interface description for user interaction with the device (col. 17, line 62 – col. 18, line 7).

As per claim 12, which is dependent on claim 11, Takahashi teaches step of generating a user interface description further includes the steps of generating each user interface description such that each reference in that user interface description is to at least the user control interface description in each corresponding device (col. 18, line 8 – col. 20, line 8); and

step of displaying one or more user interfaces further includes the steps of upon detecting user selection of a device from one of said user interfaces, accessing and then displaying the control interface description in the corresponding device for user command and control of the device (col. 17, line 57 – col. 20, line 8).

As per claim 13, which is dependent on claim 11, Takahashi teaches the step of generating a user interface description further includes the steps of generating each user interface description wherein that user interface description further includes device data corresponding to each device based on the information obtained from each device, the device data providing reference to the user control interface description in each device (col. 13, lines 36-64).

Art Unit: 2179

As per independent claims 14 and 27, they are similar in scope to claim 1; therefore, they should be rejected under similar rationale.

As per claims 15 and 28, which are dependent on claims 14 and 27 respectively, they are similar in scope to claim 2; therefore, they should be rejected under similar rationale.

As per claims 19 and 32, which are dependent on claims 14 and 27 respectively, they are similar in scope to claim 6; therefore, they should be rejected under similar rationale.

As per claim 20 and 33, which are dependent on claims 14 and 27 respectively, they are similar in scope to claim 7; therefore, they should be rejected under similar rationale.

As per claim 21 and 34, which are dependent on claims 14 and 27 respectively, they are similar in scope to claim 8; therefore, they should be rejected under similar rationale.

As per claim 22 and 35, which are dependent on claims 14 and 27 respectively, they are similar in scope to claim 9; therefore, they should be rejected under similar rationale.



Art Unit: 2179

As per claim 23 and 36, which are dependent on claims 14 and 27 respectively, they are similar in scope to claim 10; therefore, they should be rejected under similar rationale.

As per claim 24 and 37, which are dependent on claims 14 and 27 respectively, they are similar in scope to claim 11; therefore, they should be rejected under similar rationale.

As per claim 25 and 38, which are dependent on claims 24 and 37 respectively, they are similar in scope to claim 12; therefore, they should be rejected under similar rationale.

As per claim 26 and 39, which are dependent on claims 24 and 37 respectively, they are similar in scope to claim 13; therefore, they should be rejected under similar rationale.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 3-5, 16-18 and 29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi in view of Mitani (US #6,466,233).

Art Unit: 2179

As per claims 3, 4 and 5, which are all dependent on claim 1, Takahashi does not disclose the step of generating a user interface description further comprises the steps of: associating a hyper-text link with the device information of each of said devices currently connected to the network, the information in each device comprises an HTML page contained in that device, and the step of displaying the user interface further comprises the steps of displaying the user interface on a browser on said one or more devices capable of displaying a user interface. Mitani discloses hyper-text link HTML pages define sets of user interface functions for multiple devices, connected to a network, that enable user interaction and control of those devices (col. 6, line 4 – col. 7, line 12). It would have been obvious to an artisan at the time of the invention to use the teaching from Mitani of including hyper-text link HTML pages define sets of user interface functions for multiple devices, connected to a network, that enable user interaction and control of those devices in Takahashi's method since hyper-text link HTML pages would allow the devices to be remotely controlled from the Internet via HTTP protocol.

As per claims 16 and 29, which are dependent on claims 14 and 27 respectively, they are similar in scope to claim 3; therefore, they should be rejected under similar rationale.

As per claims 17 and 30, which are dependent on claims 14 and 27 respectively, they are similar in scope to claim 4; therefore, they should be rejected under similar rationale.

Art Unit: 2179

As per claims 18 and 31, which are dependent on claims 14 and 27 respectively, they are similar in scope to claim 5; therefore, they should be rejected under similar rationale.

***Response to Arguments***

7. Applicant's arguments filed 04/30/2004 have been fully considered but they are not persuasive.

Applicants argued the following:

(a) As per claim 1, the device delegate object does not generate a user interface description that includes at least one reference associated with the device information in each of said devices currently connected to the network.

(b) As per claim 1, Takahashi does not teach the concept of using references in the user interface description, wherein the references provide access to information stored in devices connected to the network.

(c) As per claim 1, Takahashi does not disclose displaying one or more user interfaces each based on one of said one or more user interface description, on one or more devices connected to the network capable of displaying a user interface, for control of said devices that are currently connected to the network.

(d) As per claim 2, Takahashi does not teach using a reference in a corresponding user interface description to access the associated information in each device in order to display each user interface.

Art Unit: 2179

(e) As per claim 6, Takahashi does not teach connecting a client device to the network capable of displaying a user interface, and the displaying a user interface on the client device.

(f) As per claim 10, Takahashi does not disclose that the device information in each device includes device identification information.

(g) As per claim 11, Takahashi does not disclose the device information in each device includes a user control interface description for user interaction with the device.

(h) As per claim 12, Takahashi does not disclose generating a user interface description further includes the steps of generating each user interface description such that each reference in that user interface description is to at least the user control interface description in each corresponding device; and step of displaying one or more user interfaces further includes the steps of upon detecting user selection of a device from one of said user interfaces, accessing and then displaying the control interface description in the corresponding device for user command and control of the device.

(i) As per claim 13, Takahashi does not disclose generating a user interface description further includes the steps of generating each user interface description wherein that user interface description further includes device data corresponding to each device based on the information obtained from each device, the device data providing reference to the user control interface description in each device (col. 13, lines 36-64).

(j) As per claims 14 and 27, Takahashi does not disclose an agent in a device for obtaining information and generating a user interface description.

(l) As per claims 3-5, there is motivation or suggestion to combine Takahashi and Mitami.

The Examiner disagrees for the following reasons:

(a) & (b) Takahashi clearly teaches those features at col. 17, line 64-67.

(c) The claim language of claim 1 only requires displaying *one* or more user interface on *one* or more devices connected to the network *capable of displaying a user interface*. According to Takahashi, Multimedia controller, as in fig. 1, is the only *one* that is *capable of displaying a user interface*; therefore, it still satisfies the claim language.

(d) According to Takahashi, in order to display a user interface of a multimedia, e.g. fig. 20, a reference must access a class library associated with information in each device via object graphic information such as 254 in fig. 12.

(e) Takahashi's Multimedia controller is in fact a client device capable of displaying a user interface and is connected to the LAN network (col. 8, lines 5-12).

(f) Takahashi clearly teaches the device information in each device includes device identification information at col. 34, lines 62-67.

(g) Takahashi clearly teaches the device information in each device includes a user control interface description for user interaction with the device at col. 17, line 62 – col. 18, line 7.

(h) Takahashi clearly teaches generating a user interface description further includes the steps of generating each user interface description such that each reference in that user interface description is to at least the user control interface description in each corresponding device at col. 18, line 8 – col. 20, line 8; and step of displaying one or more user interfaces further includes the steps of upon detecting user selection of a device from one of said user interfaces, accessing and then displaying the control interface

Art Unit: 2179

description in the corresponding device for user command and control of the device at col. 17, line 57 – col. 20, line 8.

(i) Takahashi clearly teaches generating a user interface description further includes the steps of generating each user interface description wherein that user interface description further includes device data corresponding to each device based on the information obtained from each device, the device data providing reference to the user control interface description in each device at col. 13, lines 36-64.

(j) Takahashi does teach an agent in a device for obtaining information and generating a user interface description at col. 11, lines 29-38.

(l) In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, both Takahashi and Mitani are in the same field of device controlling; therefore, it would have been obvious to an artisan at the time of the invention to use the teaching from Mitani of including hyper-text link HTML pages define sets of user interface functions for multiple devices, connected to a network, that enable user interaction and control of those devices in Takahashi's method since hyper-text link HTML pages would allow the devices to be remotely controlled from the Internet via HTTP protocol.

Art Unit: 2179

### ***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

### ***Inquiries***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon (Gary) D Nguyen whose telephone number is 703-305-8318. The examiner can normally be reached on Monday - Friday with every other Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R Herndon can be reached on (703)308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2179

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nhon (Gary) Nguyen  
August 19, 2004

  
BAHUYNH  
PRIMARY EXAMINER